



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,465	11/28/2003	Jong Seok Kim	0465-1100P	7975
2292 7590 03/14/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER PATEL, RITA RAMESH.	
			ART UNIT 1746	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		03/14/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/14/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/722,465

Applicant(s)

KIM ET AL.

Examiner

Rita R. Patel

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Applicant's Arguments / Amendments

This Office Action is responsive to the amendment filed on 12/20/06. Claims 1-5 and 7-20 are pending. Claim 6 has been canceled. Claims 12-20 are new. Claims 1, 5, 7, and 9-10 have been amended. Applicant's arguments have been considered, but are not persuasive. Thus, claims 1-5 and 7-20 are finally rejected for the reasons of record.

In the remarks filed, on page 10, applicant states Wunderlich's detergent storing assembly is loaded on its lid and argues this is not a loading hole formed at one side of the cabinet. Applicant further contests that Wunderlich does not include a packing means sealing a gap between the detergent storage assembly but, rather, Wunderlich's gasket seal 74 seals the gap between lid 70 and washer cabinet opening 66, which is not the gap between the detergent storage assembly and the cabinet. However, the Office maintains its position formerly recited in the prior Office Action (page 3) that in Figure 1 of Wunderlich, the dispenser housing 72 is loaded by fill cap 86 (lid part) to fill opening 87 (loading hole), as the top wall of the cabinet (one side of the cabinet).

Moreover, in re applicant's claims for "a packing means sealing a gap between the detergent storing assembly and the cabinet", the gap formed when the lid is opened, as illustrated in Figure 1 of Wunderlich reads on said gap formed between the detergent storing assembly and the cabinet; said gap is created when the lid is opened is formed between the detergent storing assembly and the cabinet 12. Also, said gasket 74 is

Art Unit: 1746

illustrated in Figure 1 to be attached integrally to the lid of the machine, also a thickened double-line is formed about the periphery of the gasket where it connects to the lid; it is at once envisaged that this double-line indicates an insertion groove of the lid frame for connecting the gasket thereon' having a removable gasket is known in the art because gaskets are inexpensive components that are commonly replaced, thus when the gasket is found to be defective, then having to replace solely the gasket is more economical and time-saving than replacing the entire lid. Wunderlich discloses a gasket and its appropriate abutment fitting to said lid in the illustration of Figure 1.

In re applicant's remarks to claim 3, the dispenser has a revolvable fill cap 86 installed at one side of the lid frame which is shown in Figure 1, and when the lid is opened, as illustrated, the fill cap 86 is located at the topside of the detergent dispenser; specifically when the lid is opened and the fill cap is to be removed for refilling the detergent dispenser, the fill cap and its respective opening for re-filling are at the topside of the detergent box, as it faces upwards and allows detergent to be poured in without falling out during its re-supply.

In re applicant's remarks about claim 9, the components of gasket 74, namely vertical and horizontal components, in their entirety comprise gasket 74, thus it is not improper to claim difference parts of the gasket as a first (horizontal) and second (vertical) gasket. It is not required that Wunderlich calls the horizontal and vertical components of gasket 74 a "first and second gasket" to be sufficient to read on applicant's claims; these parts in and of themselves structurally read on applicant's claims for a first and second gasket. The first and second gaskets are integrally formed

Art Unit: 1746

on the lid, as well as with each other, in order to prevent leakage of fluid from the cabinet.

Claim Objections

Objections over claims 5 and 7 have been overcome due to applicant's amendments filed 12/20/06.

Claim Rejections - 35 USC § 112

35 USC § 112, second paragraph rejections over claims 5 have been overcome due to applicant's amendments filed 9/20/06.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-9 and 11-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wunderlich et al. herein referred to as "Wunderlich" (US Patent No. 6,327,729).

Wunderlich teaches a washing machine including cabinet 12 having side 14, front 16, and a top wall 18 with a top cover 24. Top lid assembly 68 includes a dispenser housing 72 with a gasket seal 74 which is elongated and has a left end 96

Art Unit: 1746

and right end 98; these components read on applicant's claim for a detergent storing assembly and a packing means (col. 4, lines 22-24, 27-28). As seen by Figure 1 of Wunderlich, the dispenser housing 72 is loaded by a lid part, fill cap 86, to fill the loading hole, fill opening 87, at the top wall of cabinet 12. Reservoir chamber 100 formed within the dispenser housing 72 is used to hold detergent. Front wall 76 is fixed to the detergent box and thereon it has fill opening 87 whereby fill cup 86 is attached and is revolvable, as it may be circularly screwed to open/close the topside of the detergent box (Figure 1). The bottom of front wall 76 is where the fill opening 87 is mounted; thereon the fill opening is fill cup 86 which is removably connected. The gasket extends a distance, as seen in Figure 1, that travels from the bottom of the front wall 76 to the fill opening 87 and further beyond these points laterally across the total width of the lid; thus reading on applicant's claim wherein the packing means are provided between the bottom of the lead frame and the rim of the loading hole. Reservoir chamber wall 76 extends about the inner side of the lid of the washing machine. The left 96 and right 98 sides of the gasket traverse along a thin, long grooved portion of the front wall 76. The gasket seal 74 extends along the front of the washer door depression 36 and generally across ridge 48 for retaining condensation therein and reducing agitation noise (col. 4, lines 31-34). Moreover, The horizontal parts of sealing gasket 74 read on applicant's claim for a first gasket inserted in a front portion of the insertion groove of the lid frame. The lateral/vertical portion extending along the sides of the front wall 76 read on applicant's claim for a second gasket inserted in a rear portion of the insertion groove of the lid frame. The cabinet 12 is

Art Unit: 1746

formed around the body of the entire washing machine and the fill opening 87 is formed at the top side of said cabinet.

In re claim 12, the cabinet 12, has a top lid with a fill cap 86 formed over fill opening 87 (loading hole) whereby the dispenser chamber wall 78 is formed in between the opening 87 and the lid such that the dispenser chamber is mounted into the loading hole. Moreover, a gap is illustrated in Figures 1 and 10 between the detergent storing assembly and the fill opening; immediately below fill cap 86 there is an angular wall formed concentrically about the periphery of the opening to help aid detergent in its traversal into the detergent dispenser. The dispenser chamber walls are generally rectangular-shaped, however, the gap formed between the opening 87 and the dispenser is surrounded by a circular shaped wall, thus reading on applicant's claim for a gap between the detergent storing assembly and the cabinet.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wunderlich as applied to claims 6 and 17 above, and further in view of Faccoli (US Patent No. 5,709,390).

Art Unit: 1746

Wunderlich fails to teach the exact means of connection of the gasket thereon the insertion groove of the front wall. However, insertion grooves for connecting the gasket to the insertion groove would have been an obvious form of connection as sealing such packing must be impervious to leakage, as known for achieving said functions in the art by this form of gasket connection. Faccoli teaches an elastomeric sealing gasket of continuous length for cooking oven doors. A protruding element extending from an adjacent metal wall can be bent to form a hook able to engage in apertures provided in the oven. The hooks facilitate the bending of the gasket to follow a corner of the oven door and facilitate proper positioning of the hook and gasket. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate said feature of Faccoli to Wunderlich for achieving a well-connected gasket thereon the door of a household appliance which is used to prevent leakage therefrom.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 1746

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

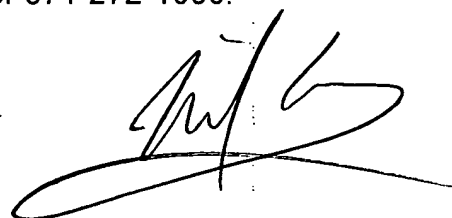
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita R. Patel whose telephone number is (571) 272-8701. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



rrp



MICHAEL BARR
SUPERVISORY PATENT EXAMINER